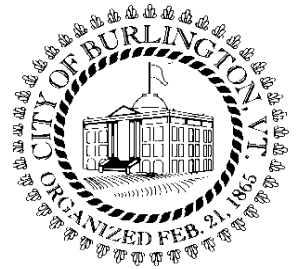


Department of Permitting and Inspections

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MEMORANDUM

To: The Design Advisory Board
From: Mary O'Neil, AICP, Principal Planner
RE: ZP21-639; 48-50 Greene Street
Date: September 14, 2021

File: ZP21-639
Location: 48-50 Greene Street
Zone: RM **Ward:** 2C
Parking District: Neighborhood
Date application accepted: August 31, 2021
Applicant/ Owner: Lee Bissonette
Request: "Repair of Fire Escape"
Site visit: September 8, 2021



Background:

- **Building Permit 1659;** repair the side porch on existing house. May 21, 1984.
- **Building Permit 1547;** construct fire escape (2nd means of egress) from grade to third floor. April 1984.
- **Building Permit 780099;** replace some slate and 22' of metal flashing on roof. August 1977.
- **Zoning Permit 77-167;** replace a 7' x 9' porch in the front of the house. August 1976.
- **Notice of No Zoning or Permit;** April 6, 1976.
- **Building Permit 77-167;** replace the porch deck. August 1976.
- **Notice of Violation July 1974;** Conversion of a two apartment house into a three apartment house (conversion of attic into a unit) without having obtained a zoning permit. July 1974.
- **Building Permit 24-558;** convert heating system to gas. January 1974.

Overview:

48-50 Greene Street, constructed c. 1900 is listed on the Vermont State Register of Historic Resources. Although currently used as a triplex, no permits are found on file for the conversion of a duplex to a triplex. A Notice of Violation was issued in July 1974 for the creation of a unit

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by finishing the attic, turning a duplex into a triplex. No further resolution was discovered. The original “fire escape” was constructed via building permit in 1984. This permit is an after-the-fact permit for the replacement of the exterior stairs to the third floor.

Part 1: Land Division Design Standards

Not applicable.

Part 2: Site Plan Design Standards

Sec. 6.2.2 Review Standards

(a)Protection of Important Natural Features:

There are no identified natural features within the application. The replacement stairs have been constructed in the same location as the 1984 stairway.



(b) Topographical Alterations:

Not applicable.

(c)Protection of Important Public Views: Not applicable.

(d) Protection of Important Cultural Resources:

Burlington’s architectural and cultural heritage shall be protected through sensitive and respectful redevelopment, rehabilitation, and infill. Archeological sites likely to yield information important to the city’s or the region’s pre-history or history shall be evaluated, documented, and avoided whenever feasible. Where the proposed development involves sites listed or eligible for listing on a state or national register of historic places, the applicant shall meet the applicable development and design standards pursuant to Sec. 5.4.8(b).

See Section 5.4.8, below.

(e) Supporting the Use of Renewable Energy Resources:

No part of the application precludes the use of wind, water, solar, geothermal or other renewable energy resource.

(f) Brownfield Sites:

Not applicable.

(g) Provide for nature's events:

Special attention shall be accorded to stormwater runoff so that neighboring properties and/or the public stormwater drainage system are not adversely affected. All development and site disturbance shall follow applicable city and state erosion and stormwater management guidelines in accordance with the requirements of Art 5, Sec 5.5.3.

Design features which address the effects of rain, snow, and ice at building entrances, and to provisions for snow and ice removal or storage from circulation areas shall also be incorporated.



The top of the landing has no canopy, other than the roof eave. The stair, itself, is uncovered. Building code typically requires that egress stairs be covered if the steps are wooden and the building is not occupied by an owner, who could attend to ice and snow.

(h) Building Location and Orientation:

The replacement stairs appear to be in the same location as the previous.

(i) Vehicular Access:

No change. Not applicable.

(j) Pedestrian Access:

Not applicable.

(k) Accessibility for the Handicapped:

ADA access is under the jurisdiction of the building inspector.

(l) Parking and Circulation:

No change.

(m) Landscaping and Fences:

Not applicable.

(n) Public Plazas and Open Space:

Not applicable.

(o) Outdoor Lighting:

Where exterior lighting is proposed the applicant shall meet the lighting performance standards as per Sec 5.5.2.

No lighting is included within this application. Not applicable.

(p) Integrate infrastructure into the design:

Exterior storage areas, machinery and equipment installations, service and loading areas, utility meters and structures, mailboxes, and similar accessory structures shall utilize setbacks, plantings, enclosures and other mitigation or screening methods to minimize their auditory and visual impact on the public street and neighboring properties to the extent practicable.

Any development involving the installation of machinery or equipment which emits heat, vapor, fumes, vibration, or noise shall minimize, insofar as practicable, any adverse impact on neighboring properties and the environment pursuant to the requirements of Article 5, Part 4 Performance Standards.

The application is an after-the-fact permit to “repair” an exterior stair originally erected in 1984. The design of the stair, which rises from the ground level to the third story has been altered by the addition of a support column between the first floor porch and the third floor landing. The contractor has carried the weight of the upper deck landing down onto an iron plinth, mounted through the

second floor porch roof, continuing to a porch mounted iron-angle. The design is awkward on this historic



structure; may overly burden the first floor porch deck (the porch lattice shows deflection) and hinders escape from the second floor turret window.





Part 3: Architectural Design Standards **Sec. 6.3.2 Review Standards**

(a) Relate development to its environment:

1. Massing, Height and Scale:

The egress stair replaces another installed in 1984. In that manner, the visually intrusion is similar. The earlier stair did not have the additional porch support which is obtrusive and especially visible from the public right-of-way.

2. Roofs and Rooflines.

Current building code may require a roof cover over the stairs if the building owner does not live at the dwelling. No roof cover was included in this reconstruction.

The piercing of the porch roof introduces an opening in the building envelope that will

invite water and early rot. The solution was ill-advised from the standpoint of building care and protecting the character defining features of the building.

3. Building Openings

Not applicable.

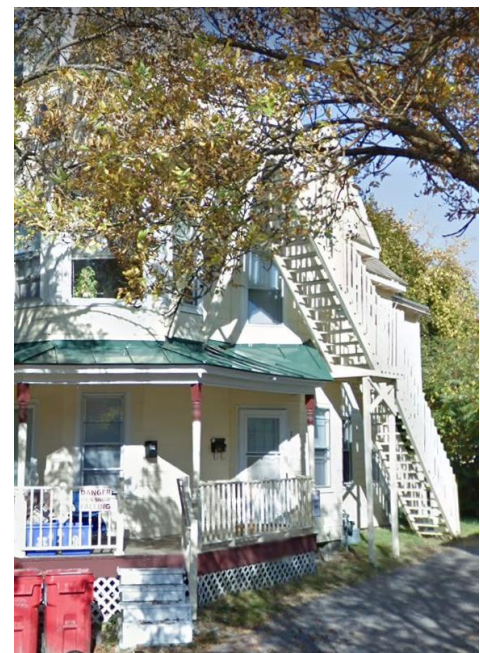
(b) Protection of Important Architectural Resources:

Burlington's architectural and cultural heritage shall be protected through sensitive and respectful redevelopment, rehabilitation, and infill. Where the proposed development involves buildings listed or eligible for listing on a state or national register of historic places, the applicant shall meet the applicable development and design standards pursuant to Sec. 5.4.8. The introduction of new buildings to a historic district listed on a state or national register of historic places shall make every effort to be compatible with nearby historic buildings.

See Section 5.4.8.

(b) Protection of Important Public Views:

Not applicable.



(d) Provide an active and inviting street edge:

The stairs themselves appear to be in the same location as the previous stairs; but the iron support pole that rises vertically through the first floor porch roof is a visual intrusion that is particularly damaging to the porch and to the integrity of the historic structure.

(e) Quality of materials:

All development shall maximize the use of highly durable building materials that extend the life cycle of the building, and reduce maintenance, waste, and environmental impacts. Such materials are particularly important in certain highly trafficked locations such as along major streets, sidewalks, loading areas, and driveways. Efforts to incorporate the use of recycled content materials and building materials and products that are extracted and/or manufactured within the region are highly encouraged.

Owners of historic structures are encouraged to consult with an architectural historian in order to determine the most appropriate repair, restoration or replacement of historic building materials as outlined by the requirements of Art 5, Sec. 5.4.8.

There is no evidence of consultation with an architectural historian prior to constructing this replacement staircase. The method chosen is inconsistent with the historic character of the structure and introduces adverse visual impact; literally opening a wound on the building envelope.

(f) Reduce energy utilization:

Not applicable.

(g) Make advertising features complementary to the site:

Not applicable.

(h) Integrate infrastructure into the building design:

See Section 6.2.2 (p), above.

(i) Make spaces secure and safe:

These exterior staircases were intended to provide egress to upper floor residents. The original was constructed with a building permit in 1984. Alternate satisfaction of egress code is now providing sprinklering to avoid this type of visual intrusion on a historic property.

There is no confirmation that the third floor unit ever received zoning approval.

Sec. 5.4.8 Historic Buildings and Sites

The City seeks to preserve, maintain, and enhance those aspects of the city having historical, architectural, archaeological, and cultural merit. Specifically, these regulations seek to achieve the following goals:

To preserve, maintain and enhance Burlington's historic character, scale, architectural integrity, and cultural resources;

To foster the preservation of Burlington's historic and cultural resources as part of an attractive, vibrant, and livable community in which to live, work and visit;

To promote a sense of community based on understanding the city's historic growth and development, and maintaining the city's sense of place by protecting its historic and cultural resources; and,

To promote the adaptive re-use of historic buildings and sites.

(a) Applicability:

These regulations shall apply to all buildings and sites in the city that are listed, or eligible for listing, on the State or National Register of Historic Places.

48-50 Greene Street, identified as the Cassius B. Russell residence, is listed on the Vermont State Register of Historic Resources. See attached historic narrative.

(b) Standards and Guidelines:

The following development standards, following the Secretary of the Interior's Standards for the Treatment of Historic Properties, shall be used in the review of all applications involving historic buildings and sites subject to the provisions of this section and the requirements for Design Review in Art 3, Part 4. The Secretary of the Interior's Standards are basic principles created to help preserve the distinctive character of a historic building and its site. They are a series of concepts about maintaining, repairing and replacing historic features, as well as designing new additions or making alterations. These Standards are intended to be applied in a reasonable manner, taking into consideration economic and technical feasibility.

1. *A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*

The home was constructed c. 1900 as the residence of Cassius B. Russell. As the use remains residential, it continues the historic use. The conversion of the third floor attic to habitable space has spurred the life safety need for the exterior staircase; the original receiving a building permit in 1984. This application is an after-the-fact permit for its replacement, which introduces new intrusion relative to the first floor porch.

2. *The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

The alteration of features; specifically the inclusion of an iron support post on the (visible) front porch, is an unacceptable and avoidable alteration to the character of the historic structure.

3. *Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.*

There are no conjectural features, but an alteration that changes the character of the structure.

4. *Changes to a property that have acquired historic significance in their own right will be retained and preserved.*

None identified.

5. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*

The one story veranda with turned posts is a defining feature of the Queen Anne structure. The introduction of an iron post within the feature is a disruption.

6. *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials recognizing that new technologies may provide an appropriate alternative in order to adapt to ever changing conditions and provide for an efficient contemporary use. Replacement of missing features will be substantiated by documentary and physical evidence.*

The exterior staircase is not a historic feature.

7. *Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*

Providing additional support by introducing non-historic materials on a façade visible from the street is a physical treatment that mars the historic character of the structure. Piercing the first floor porch roof for the iron column is a physical treatment that has caused damage to historic building fabric, and portends additional damage with exposure to the elements.

8. *Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*

There are no known archaeological resources on site. Not applicable.

9. *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.*

The stair replacement introduces non-historic building fabric that diminishes the historic integrity of the structure. A common resolution to achieve building and life safety code for multi-story, multi-unit structures is to sprinkle the building; a much preferred solution than the one under review.

10. *New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

The method of support for this replacement staircase is distracting and is an adverse alteration to the historic porch/house. It can and should be removed and a different solution sought to protect the historic integrity of the residence.



1984-85 Assessor Revaluation photograph
Stairs are new build

Additional items for Board review:

A site visit confirmed that multiple alterations have occurred to the property without benefit of building or zoning permits. Windows have been replaced; doors altered and locations changed. Code enforcement will be alerted to review current conditions at the property.